

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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RACHAEL DENHOLLANDER, et al.,

Plaintiffs,

v.

Lead Case No. 1:17-CV-29  
HON. GORDON J. QUIST

MICHIGAN STATE UNIVERSITY, et al.,

Defendants.

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**ORDER REGARDING VOLUNTARY DISMISSEALS**

On September 7, 2018, the Court granted the “Gymnast Plaintiff’s” motion to voluntarily dismiss without prejudice their claims against Defendants USA Gymnastics, Inc., Twistars USA, Inc., and John Gedder in lead Case No. 1:17-CV-29 and Consolidated Case Nos. 1:17-CV-222, 1:17-CV-244, 1:17-CV-254, 1:17-CV-257, 1:17-CV-288, 1:17-CV-349, 1:17-CV-676, 1:17-CV-684, 1:18-CV-173, 1:18-CV-174, 1:18-CV-188, 1:18-CV-377, 1:18-CV-397, 1:18-CV-433, and 1:18-CV-494 and to immediately re-file those claims as new cases. (ECF No. 368.)

On September 10, 2018, the Court entered an Order granting Plaintiffs’ motions to voluntarily dismiss in Consolidated Case Nos. 1:18-CV-616 and 1:18-CV-642. (ECF No. 369.) Plaintiffs subsequently filed notices of voluntary dismissal in those cases (Case No. 1:18-CV-616, ECF Nos. 85 and 88; 1:18-CV-642, ECF No. 116).

In addition, Plaintiff in Related Case No. 1:18-CV-619 filed a notice of voluntary dismissal on September 10, 2018 (ECF No. 13) and Plaintiffs in Consolidated Case 1:18-CV-640 filed a notice of voluntary dismissal on September 6, 2018 (ECF No. 68).

Last, on September 7, 2018, the Court entered an Order (Stay Order) staying certain cases as to the MSU Defendants. (ECF No. 365.)

**IT IS HEREBY ORDERED** as follows:

1. The Clerk shall close cases 1:18-CV-616 and 1:18-CV-642 in light of the notices of voluntary dismiss in those cases. The Stay Order did not preclude the voluntary dismissals. In addition, although the September 10, 2018, Order (ECF No. 369) was limited to claims against Defendants USA Gymnastics, Inc., Twistars USA, Inc., and John Geddert, the motions in both cases requested dismissal of all claims against all Defendants.
2. The Clerk shall close cases 1:18-CV-619 and 1:18-CV-640 in light of the voluntary dismissals filed in those cases.
3. The September 7, 2018, Order granting the Gymnast Plaintiffs' motion for voluntary dismissal was limited to the claims against Defendants USA Gymnastics, Inc., Twistars USA, Inc., and John Geddert because the motion was limited to those claims. However, it appears that some of the new cases asserting the re-filed claims also allege claims against the MSU Defendants, which were not covered by the September 7, 2018, Order. The intent of the September 7, 2018, Order was to leave the claims against the MSU Defendants (which have been settled but not dismissed) in the previously-filed cases. Therefore, the previous cases remain pending, and any claims asserted against the MSU Defendants in the re-filed cases are **DISMISSED WITHOUT PREJUDICE**.

Dated: September 28, 2018

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE